

Ordinance # 107

All-Terrain/Utility Terrain Vehicles Routes Town of Harrison, Waupaca County, Wisconsin

Section 1-Intent

The **Town of Harrison**, Waupaca County, Wisconsin hereby adopts the following all terrain vehicle (ATV) and utility terrain vehicle (UTV) upon roadways listed in Section 3. The routes have been created following due consideration of recreational value and weighted against possible dangers, public health, liability aspects, terrain involved, and traffic volume.

Section 2-Statutory Authority

This route is created to pursuant to town authority as authorized by 23.33 (8) (b), Wis. Stats. The applicable provisions of 23.33 regulating ATV/UTV operations pursuant to routes are adopted.

Section 3-Routes and Trails

1. The **Town of Harrison**, reserves the right to close or modify routes at anytime. Any restrictions of routes shall be designated by a motion and by majority of the **Town of Harrison** board and shall be marked accordingly.
2. The **Town of Harrison** or its designee shall maintain all routes signs within the township.
3. All ATV/UTV routes should be signed in accordance with NR 64.12, and NR 64.12 (7) (c).
4. All **Town of Harrison** roads are hereby designated as ATV/UTV routes. All **Waupaca County** roads located in the **Town of Harrison** are hereby declared as ATV/UTV routes. **State Hwy 49** is not an ATV/UTV route except for directly crossing the highway at the intersection of County Hwy C and Kranski Road.
5. The **Town of Harrison** will maintain a route map.

Section 4-Conditions

1. All ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 35 MPH and shall slow their vehicle to 10-MPH when within 100 feet of pedestrians and horse-back riders.
2. All ATV/UTV operators shall ride single file and all ATV operators under 18 years old are required to wear a helmet.

3. As with other vehicles on the roadways:
 - a) All ATV/UTV operators must have a valid driver's license.
 - b) All ATV/UTVs must be equipped with a headlight, taillight, brake light and signal lights. These lights must be on at all times when operating on the road. Trailers may not interfere with the legal lighting requirement for ATVs/UTVs.
 - c) No open intoxicants are allowed.
4. Any load carried on the ATV/UTV must be secured to avoid loss of load and to avoid increased stability of the vehicle.
5. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.

Section 5-Enforcement

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

Section 6-Penalties

Wisconsin state ATV/UTV penalties as found in s.23.33 (13) (a) Wis. Stats. , are adopted by reference.

Section 7-Severability

The provision of this ordinance shall be deemed severable and it is expressly declared that the **Town of Harrison** would have passed the other provisions of this ordinance irrespective of whether or not one or more provision may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to the other person circumstances shall not be deemed affected.

Section-8 Effective Date

This ordinance shall take effect upon passage by a majority vote of the full membership of the Town of Harrison, and publication or posting as required by law are required under s 60.80 Wis Stats, sent to the DNR and the Waupaca county sheriff Department and when all proper signage is installed.

Passed this 11 Day of Feb-20 19.

Lee Holmerson
Chairman

Fran Moen
Town Clerk

Adopted: Feb. 11, 2019

Published: Feb 15, 2019

Effective: _____